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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

12 CLIFFORD COOK,

13 Plaintiff,

14 v.

15 CITY AND COUNTY OF SAN FRANCISCO,
ANTONIO FLORES, DON SLOAN,
MARSHA ASHE, and DOES 1-50, inclusive

16 Defendants.
17

} Case No.: C 07 2569 CRB

} PLAINTIFF'S CASE MANAGEMENT
CONFERENCE STATEMENT

Date: June 13, 2008

Time: 8:30 a.m.

Place: Courtroom 8, 19th Fl.

20 UPDATE ON STATUS OF THE CASE

21 Plaintiff's counsel has been out of the office in depositions for the past two days and is
22 currently preparing to commence a jury trial in Stockton, California on June 10, 2008.

23 JURISDICTION AND SERVICE

24 No dispute.

25 FACTS

26 This Court is familiar with the facts having ruled on a motion for partial summary
27 judgment.
28

LEGAL ISSUES

The plaintiff has a claim remaining under Title VI claim and a supplemental claim under the California Fair Employment & Housing Act, Gov't Code Section 12940. The plaintiff's remaining claims relate to adverse employment acts in addition to the arrest.

MOTIONS

The individual defendants' motion for partial summary judgment was granted. The plaintiff intends to file a motion to dismiss his remaining claims without prejudice, if necessary, so that he can proceed with his state claim in state court.

AMENDMENT OF PLEADINGS

Not at this time.

EVIDENCE PRESERVATION

Not an issue at this time.

DISCLOSURES

The parties have participated in Rule 26 disclosures.

DISCOVERY

The plaintiff intends to pursue his state discrimination claim in state court so that he may proceed with further discovery in that forum.

CLASS ACTIONS

Not applicable.

RELATED CASES

There is a related case pending in the Superior Court which the parties have agreed to temporarily stay.

RELIEF

The plaintiff is seeking general and compensatory damages according to proof.

SETTLEMENT and ADR

Not applicable.

CONSENT TO MAGISTRATE

The defendants have not consented to a magistrate.

OTHER REFERENCES

None.

NARROWING OF ISSUES

The order re partial summary judgment has narrowed the issues.

EXPEDITED SCHEDULE

Not applicable.

SCHEDULING

The plaintiff requests that the Court schedule a hearing on a motion to dismiss the remaining claims, without prejudice, so that the plaintiff may proceed with his state claim in state court.

TRIAL

Not applicable.

1 **DISCLOSURE OF NON-PARTY INTERESTED**
2 **ENTITIES OR PERSONS**

3 The plaintiff knows of no new interested parties.

4

5 **DATED:** June 4, 2008

6

7 **SCOTT LAW FIRM**

8 By: _____ /s/
9 JOHN HOUSTON SCOTT
10 Attorney for Plaintiff

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